

ORIGINAL

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**FILED**  
**DISTRICT COURT OF GUAM**

NOV - 6 2007 pbc

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**UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM**

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,  
Plaintiff,  
v.  
LEO PALACE RESORT,  
Defendant.

JENNIFER HOLBROOK; VIVIENE  
VILLANUEVA; and ROSEMARIE  
TAIMANGLO,  
Plaintiff-Intervenors,  
v.  
MDI GUAM CORPORATION d/b/a LEO  
PALACE RESORT MANENGGON  
HILLS and DOES 1 through 10,  
Defendants.

) Case No.: 2:06-CV-00028  
)  
)  
PLAINTIFF EEOC'S PRETRIAL  
DISCLOSURES PURSUANT TO FED. R.  
CIV. P. RULE 26(a)(3)  
)  
**Trial Date: December 4, 2007**  
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1 Plaintiff U.S. Equal Employment Opportunity Commission ("EEOC") makes the  
2 following pretrial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(3).  
3 EEOC reserves the right to supplement, amend, and/or correct the disclosures made  
4 herein.

5

6 1. Witnesses pursuant to Fed. R. Civ. P. 26(a)(3)(A):

7

8	NAME	ADDRESS	TELEPHONE NUMBER
9	Tom Baubata, MSW, 10 ACSW	Family Pacific, Suite 102, Reflection Center, 222 Chalan 11 Santo Papa, Hagatna, Guam 12 96910	(671)477-5715
13	Christine Camacho	K76, South Pacific Petroleum 14 Corp., Route 4, Sinajan, Guam 15 96926	(671)898-7746
16	Leo Palace Custodian 17 of Records	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS & 18 FOWLER, Suite 201, Orlean 19 Pacific Plaza, 865 South Marine 20 Corps Drive, Tamuning, Guam 21 96913	(671) 646-1222
22	Jennifer Holbrook, may 23 only be contacted 24 through counsel, Phil 25 Torres	TEKER TORRES TEKER, P.C., Suite 2A, 130 Aspinall Avenue, Hagatna, Guam 96910	(671)477-9891
26	Thomas Hong (Thomas 27 C. Son)	REDACTED	REDACTED
28			

	NAME	ADDRESS	TELEPHONE NUMBER
2		Hagatna, Guam 96932	
3	Hideo Iijima	Rota Resort & Golf Club, P.O. Box 938, Rota, M.P. 96951	(670)532-1155
5	Nilda Kowalski	Street address unknown, Corona Hills, California	REDACTED
7	Ken Kimura or Person Most Knowledgeable Regarding Leo Palace's Financial Condition (for punitive damages)	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS & FOWLER, Suite 201, Orlean Pacific Plaza, 865 South Marine Corps Drive, Tamuning, Guam 96913	(671) 646-1222
13	May Paulino	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS & FOWLER, Suite 201, Orlean Pacific Plaza, 865 Sout Marine Corps Drive, Tamuning, Guam 96913	(671) 646-1222
19	Gregory Perez	REDACTED	
21	Lilli Perez Iyechad, PhD	Family Pacific, Suite 102, Reflection Center, 222 Chalan Santo Papa, Hagatna, Guam 96910	(671)477-5715
25	Michael Robbins	EXTTI, 153 Stagecoach Road, Bell Canyon, CA 91307-1046	(818)712-0203
27	Satoshi Suzuki	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS &	(671) 646-1222

	NAME	ADDRESS	TELEPHONE NUMBER
2		FOWLER, Suite 201, Orlean Pacific Plaza, 865 South Marine Corps Drive, Tamuning, Guam 96913	
6	Rosemarie Taimanglo, may only be contacted through counsel, Phil Torres	TEKER TORRES TEKER, P.C., Suite 2A, 130 Aspinall Avenue, Hagatna, Guam 96910	(671)477-9891
10	Christine Valencia	REDACTED	REDACTED
12	Rita Villagomez		unknown
13		96921	
14	Viviene Villanueva, may only be contacted through counsel, Phil Torres	TEKER TORRES TEKER, P.C., Suite 2A, 130 Aspinall Avenue, Hagatna, Guam 96910	(671)477-9891
18	Poinciana R. Villanueva	REDACTED	

21       2. Pursuant to Fed. R. Civ. P. 26(a)(3)(B), EEOC designates the following witnesses  
 22 whose testimony is expected to be presented by means of deposition testimony:

	NAME	ADDRESS	TELEPHONE NUMBER
25	Yutaka Maruyama	169 Tsuganodai, Chiba, Japan	043-287-8878
26	Gregory Perez	REDACTED	
28			

1        EEOC lists Mr. Perez as a witness whose deposition it expects to present by means  
2 of deposition testimony, only because he is a third party witness who resides outside the  
3 jurisdiction of the United States District Court for the Territory of Guam. EEOC is  
4 hopeful that he will testify in person.

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6        3. Identification of Exhibits, Documents pursuant to Federal Rule of Civil Procedure  
7        26(a)(3)(C):

8 <b>Exhibit No.</b>	9 <b>Description</b>
10      1	11      Dr. Perez-Iyechad Note Excusing Taimanglo from work, EEOC 0134 12      (also LPR 00062)
13      2	14      Taimanglo Leave Slip 8/26/04-09/01/04. EEOC 0133 (LPR 00064)
15      3	16      Dr. Perez-Iyechad Treatment Summary of Taimanglo, 3/21/07
17      4	18      Taimanglo 2004 1040A, 2203 1040A, 2005 1040A, 2006 1040A
19      5	20      Taimanglo Customer Service Training Certificate, EEOC 0139
21      6	22      Taimanglo Promotion Paperwork, EEOC 0141-0143
23      6	24      Taimanglo LOD. EEOC 0004-0005 (also LPR 00298-299)
25      7	26      Taimanglo Supp. Decl. to EEOC Charge, EEOC 0081-0084 (also LPR 27      00357-360)
28      8	29      Taimanglo Decl. to EEOC Charge, EEOC 0085-0088
1        9	2        Taimanglo Pre-Charge Questionnaire, EEOC 0096-0102
3        10	4        Taimanglo Resignation Letter, EEOC 0117
5        11	6        Notice of Taimanglo Charge, EEOC 0093 (also LPR 00355)
7        12	8        EEOC Investigator Interview w/ Taimanglo 4/5/05, EEOC 0412-413
9        13	10      Taimanglo Personnel File documents from 2003-2004, LPR 00058- LPR 11      00095
12      14	13      Taimanglo Handwritten notes re: Camacho, 0094
14      15	15      Taimanglo Dr. M. Libao notes 8/19/04, 1 page
16      16	17      Dr. Perez-Iyechad Note Excusing Holbrook from work, EEOC 0055

<b>Exhibit No.</b>	<b>Description</b>
17	Dr. Perez-Iyechad's Treatment Summary of Holbrook 3/21/07; Tom Babauta, MSW, Treatment Summary of Holbrook, 3/19/07
18	Holbrook 2002 W-2s, 2006 W-2GU, 2003 Net Profit from Business, 2005 1040, 2003 1040 Guam Ind. Tax Return, 2005 1040-SS
19	Holbrook's 8/11/04 Written Statement to Paulino, EEOC 0052 (also LPR 00193)
20	Portions of Dr. Lilli Perez-Iyechad's Therapy Notes & Records Re: Holbrook & Taimanglo
21	Holbrook LOD, EEOC 0002-0003 (also LPR 00296-297)
22	Holbrook Supplemental Declaration to EEOC Charge, EEOC 0011-0015 (also LPR 00363-365)
23	Holbrook Declaration to EEOC Charge, EEOC 0019-0020
24	Holbrook Resignation Letter EEOC 0034
24	Holbrook Pre-Charge Questionnaire, EEOC 0037-0043
26	Notice of Holbrook Charge, EEOC 0025 (also LPR 00361)
27	EEOC Investigator Interview w/ Holbrook 4/5/05, EEOC 0403-0404
28	Holbrook Personnel File LPR 00027-00056
29	Tom Babauta Note Excusing Villanueva from work, EEOC 0299
30	Villanueva Leave Slips 8/21-8/27 & 8/27-9/02, EEOC 0300-0301
31	Babauta Treatment Summary of Villanueva, 2/27/07
32	Villanueva 2006 W-2, 2005 1040EZ, 2004 1040EZ, 2003 1040EZ
33	Portions of Tom Babauta, MSW's Therapy Notes & Records Re: Villanueva
34	Villanueva LOD, EEOC 0006-0007 (also LPR 00300-301)
35	Villanueva Supplemental Decl. to EEOC Charge, EEOC 0186-0188 (also LPR 00368-370)
36	Villanueva Decl. to EEOC Charge, EEOC 0191-0192

<b>Exhibit No.</b>	<b>Description</b>
37	Villanueva Pre-Charge Questionnaire, EEOC 0199-0205
38	Villanueva Resignation Letter EEOC 0035
39	Villanueva Personnel Action Form 10/29/04, EEOC 0302
40	Villanueva Employment App, EEOC 0339-340
41	Notice of Villanueva Charge, EEOC 0196 (also LPR 00366)
42	Villanueva Personnel File LPR00133-LPR 00179
43	Letter from Torres to Paulino 8/16/04, 0103-0110 (also LPR 00182-LPR00188)
44	Front Office Work Schedules, EEOC 0346-363, EEOC 0366-383; 0096-0098 (also LPR 00270-00287; LPR 00759-00776)
45	Leo Palace Punch Detail Reports 5/30/04-8/28/04 Holbrook (LPR 00732-758)
46	Torres Letter to EEOC 12/3/04, EEOC 0397-0402
47	EEOC Interview with Perez dated 2/24/05, EEOC 0422-425
48	Conciliation Failure Letter 5/22/06, EEOC 0416 (also LPR 00660)
49	EEOC Investigative File Case Log, EEOC 0430-0436
50	EEOC Investigator Interview w/ Paulino, EEOC 0426-0427
51	Notice of Like and Related Charges, EEOC 0024 (also LPR 00291)
52	EEOC Investigator Interview w/ Greg Perez, 2/24/05, EEOC 0422--0425
53	Iijima Personnel File LPR 01211-01236
54	Paulino Personnel File LPR 01237-01503
55	Suzuki Personnel File LPR 01553-1589
56	Letter from Suzuki to Paulino, EEOC 0273 (LPR 00004)
57	Paulino's notes of interview w/Holbrook 8/11/04, EEOC 0051 (also LPR 00192)
58	Paulino's notes of interviews w/Taimanglo 8/10/04; 8/11/04, EEOC 0110-

<b>Exhibit No.</b>	<b>Description</b>
	0111 (also LPR 00189- LPR00190)
59	Paulino's notes of interview w/ Camacho 8/11/04, EEOC 0234 (also LPR00005)
60	Paulino's notes of interview w/Villanueva 8/11/04, EEOC 0236 (also LPR 00194)
61	Documents from Thomas Hong Personnel File, LPR 01506, LPR 01518, LPR 01521-LPR 01525; LPR 01548-49
62	Camacho Personnel File, LPR 00001-LPR 00026
63	Leo Palace Resort Handbook/Benefits, 0068-0091 (also LPR 00331-00354)
64	10/2/2003 Sexual Harassment Training Sign In Sheet (LPR 00416)
65	LeoPalace 2004 Medical & Dental Rates COBRA, EEOC 0131 (also LPR 00080)
66	Palacios Security Report 8/16/04, EEOC 0238-239 (also LPR 00002-LPR00003)
67	Security Morning Briefing, 0092
68	Thomas Hong Sex Harassment Training, LPR 01504, LPR 01538
69	Leo Palace Handbooks, LPR 00713-00731; LPR 01177-01210
70	6/20/06 Sexual Harassment Memo H-0009 (LPR 00778)
71	612/16/04 Leo Palace Sex Harassment Memo (LPR00196-00197)
72	Sexual Harassment Sign In Sheets (LPR 00394-402)
73	Letter from Perez to Paulino re: Phone Policy (6/13/04), LPR 00543
74	EEOC Expert Michael Robbins, Expert Report and Supplements, EEOC 0445-460
75	Def. Leo Palace Resort's Responses to EEOC's Request for Admissions
76	Def. Leo Palace Resort's Responses to EEOC's First Set of Interrogatories
77	Def. Leo Palace Resort's Responses to EEOC's Interrogatories (Set Two)

<b>Exhibit No.</b>	<b>Description</b>
78	Def. Leo Palace Position Statement to EEOC 1/18/05, EEOC 0221-231 (also LPR 00224-00234)
79	Def. Leo Palace Letter dated 11/1/05 to EEOC, EEOC 0030-33 (also LPR 00660)
80	Def. Response to EEOC Request for Information #4 Re: Sex harassment Training, EEOC 0265, 0271 (also LPR 00255)
81	EEOC Request for Information #4 to LeoPalace 02/16/05, EEOC 0261-263 (LPR 00252-00254)
82	Defendant Leo Palace's Responses to EEOC's First Request for Production of Documents
83	Defendant Leo Palace's Responses to EEOC's Second Request for Production of Documents
84	Defendant's Initial Disclosures Pursuant to Local Rule 16.2
85	Financial Records of Leo Palace (to be subpoenaed for trial regarding punitive damages)

Date: November 4, 2007

UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

By:

  
Angela Morrison

Derek Li

Attorneys for Plaintiff